
REFUGEES, ASYLEES, FISCAL YEAR 1998

This report will appear as chapters in the forthcoming *1998 Statistical Yearbook of the Immigration and Naturalization Service*. All references to Appendixes, Charts, Tables, and other sections of the *Statistical Yearbook*, as well as detailed table numbers, appear as they will in the final *Yearbook* edition.

II. REFUGEES

This section presents information on persons who are admitted to the United States because of persecution abroad, including the number and characteristics of persons applying, approved, arriving, and adjusting to lawful permanent resident status.

A refugee is an alien outside the United States who is unable or unwilling to return to his or her country of nationality because of persecution or a well-founded fear of persecution. (See Appendix 3, p. A.3-9.)

Claims of persecution must be based on race, religion, nationality, membership in a particular social group, or political opinion.¹ Persons within their country of nationality may be treated as refugees, provided that the President, after consultation with Congress, declares that they are of special humanitarian concern to the United States. The definition of refugee set forth in the Immigration and Nationality Act, as amended by the Refugee Act of 1980, (see Appendix 1, p. A.1-18) conforms to the 1967 United Nations Protocol on Refugees.

U.S. Refugee Program

The United States first recognized refugees for entry into the country in fiscal year 1946. After that time many different refugee programs were enacted on an ad hoc basis, including the Displaced Persons Act (see Appendix 1, p. A.1-10) and the Cuban and Indochinese Refugee Adjustment Acts. During the first decade of refugee programs, virtually all refugees entered the United States as immigrants. Since 1957, most refugees either have been paroled into the United States under special authority granted to the Attorney General by the Immigration and Nationality Act, or have entered in a statutory refugee status, to be adjusted to lawful permanent resident status at a later date.

Chart F depicts initial refugee admissions and adjustments to lawful permanent resident status for the period 1946-98. This graph demonstrates the time lag between initial admission and adjustment to immigrant status. At the

onset of parole programs there generally were no mechanisms for adjustment to permanent status, thus creating a recurring need for special legislation. The Refugee Act of 1980 addressed this situation by providing for routine adjustment of status by refugees one year after arrival.

Admission ceilings

At the beginning of each fiscal year, the President, after consultation with Congress to review the worldwide refugee situation, determines the number of refugees in need of resettlement who are of special humanitarian concern to the United States. The President then establishes the authorized number of admissions for that fiscal year. During the year, changes in the need for resettlement may require revisions in the overall limit on refugee admissions or reallocation among areas of the world. The admission ceiling of 83,000 for 1998 was established and later reallocated among geographic regions as follows:

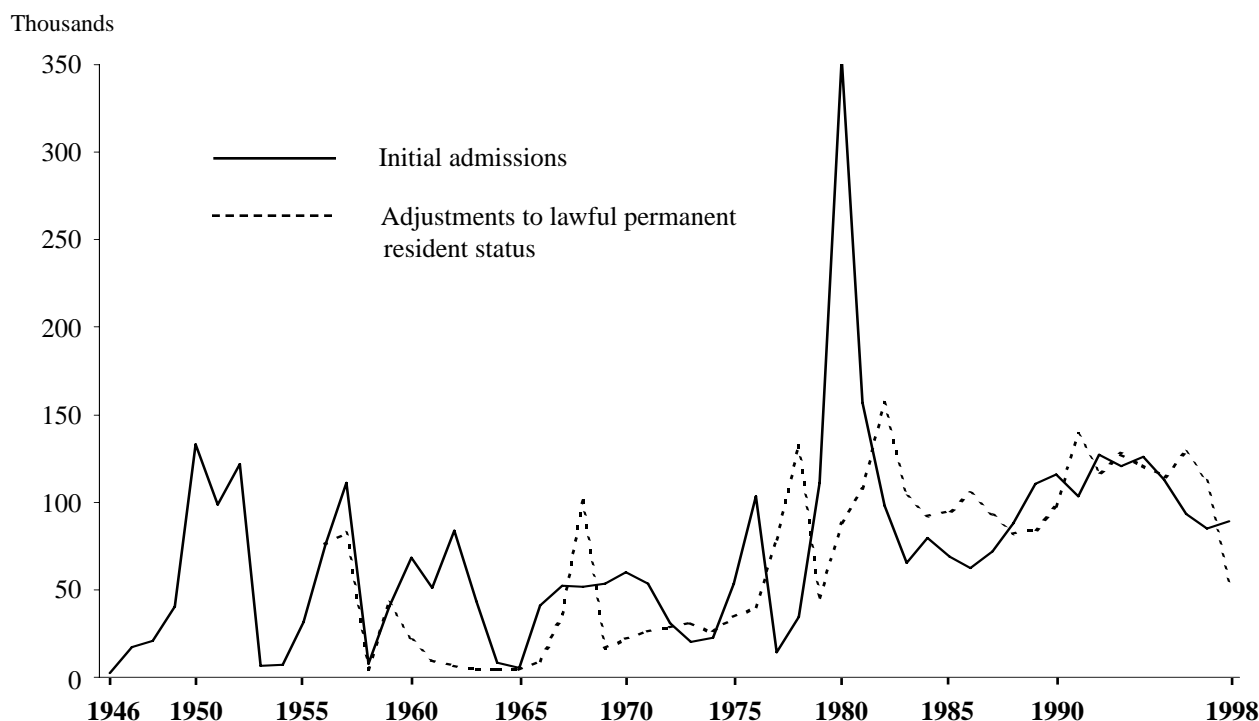
Geographic region of origin	Initial ceiling	Final ceiling
Total	83,000	83,000
Africa	7,000	7,000
East Asia	14,000	14,000
Eastern Europe / Soviet Union (fmr.)	51,000	54,000
Latin America / Caribbean	4,000	4,000
Near East / South Asia	4,000	4,000
Unallocated, funded	3,000	-

- Represents zero.

The authorized admission levels set the maximum number of refugees allowed to enter the United States in a fiscal year from each of the geographic areas of chargeability. The authorized ceiling was increased from 78,000 in 1997 to 83,000 in 1998, interrupting a downward trend since the peak of 142,000 in 1992. An unallocated funded reserve of 3,000 was placed in the 1998 ceiling to allow for small increases in one or more areas as needed without subtracting refugee authorized admissions from other areas.

¹ The Illegal Immigration Reform and Individual Responsibility Act of 1996, enacted September 30, 1996, Sec. 601, stipulates that a person qualifies as a refugee or asylee persecuted for political opinion if forced to undergo, has a well-founded fear of being compelled to undergo, or resists a coercive population-control procedure. Also, the Act set a combined annual ceiling of 1,000 persons who may be granted refugee or asylee status under this provision.

Chart F
Refugee and Asylee Initial Admissions and Adjustments to Lawful Permanent Resident Status: Fiscal Years 1946-98



Major refugee programs

1949-53	Displaced Persons Act	1978-84	Indochinese Refugee Adjustment Act	3/75-3/80	Indochinese refugees paroled
1954-57	Refugee Relief Act			1980	Refugee-Parolee adjustments began
11/56-7/58	Hungarians paroled	2/70-3/80	Refugee-Parolees admitted	4/80	Refugee Act admissions began
1959	Hungarian adjustments began	1/59-3/80	Cubans paroled	1981	Refugee Act adjustments began
1966-80	Refugee conditional entrants	1967	Cuban adjustments began	4/80-10/80	Mariel boatlift
				1985-87	Mariel adjustments

NOTE: For the period 1946-56, admissions to lawful permanent resident status and initial admissions were the same. See Glossary for fiscal year definitions.
Source: Tables 24, 28, and 32.

The ceiling for East Asia includes certain Vietnamese Amerasians, who enter the United States with immigrant visas. Although these aliens are immigrants rather than refugees, they are included in the refugee ceiling since they are eligible for refugee benefits in the United States. Only 373 Amerasians, including their family members, entered the United States in 1998. They are included in the immigrant rather than the refugee tables in the *Statistical Yearbook*. The Amerasian program is ending, since most of the eligible persons have already been identified and entered the United States.

Criteria for refugee status

During 1998, refugees were interviewed and approved for admission to the United States by officers in nine of the Service's forty overseas offices. To qualify for admission to the United States as a refugee, each applicant must meet

all of the following criteria: be a refugee as set forth in the Refugee Act of 1980; be among the types of refugees determined to be of special humanitarian concern to the United States; be admissible under the Immigration and Nationality Act; and not be firmly resettled in any foreign country. Spouses and minor children of qualifying refugees also enter the United States as refugees, either accompanying or following to join the principal refugee. Occasionally these family members gain refugee status after arriving in the United States; this was the case with 78 people in 1998.

Special program for applicants from the former Soviet Union (Table 22)

Beginning in 1990, the administrative processing of refugee applicants residing in the Soviet Union was shifted to the United States. The resulting change in the

Table D
Refugee Status Applications Filed and Approved, and Refugees Admitted, by Selected Nationality: Fiscal Year 1998

Nationality	Refugee applications filed	Refugee applications approved	Refugee arrivals
Total	124,777	73,198	76,181
Yugoslavia	44,272	27,916	30,906
Bosnia-Herzegovina	41,156	25,393	30,906
Croatia	3,111	2,520	-
Other & unknown	5	3	-
Soviet Union, former	35,008	18,748	23,349
Vietnam	17,240	12,698	10,288
Cuba	8,258	1,169	1,587
Liberia	4,228	3,009	1,494
Sudan	3,538	1,391	1,252
Iraq	2,982	2,184	1,407
Somalia	2,638	2,396	2,951
Ethiopia	2,103	258	152
Iran	1,691	1,662	1,699
Sierra Leone	1,041	370	176
Other	1,778	1,397	920

- Represents zero. Source: Tables 23 and 25.

application procedure created discontinuity with prior INS data on refugee applications. Applicants from the former Soviet Union are now required to submit an initial questionnaire to the State Department's Washington Processing Center (WPC) in Rosslyn, Virginia. The WPC establishes interview priority for applications based on information supplied on the initial questionnaires and schedules interviews in Moscow. On the day of their interview, applicants submit completed refugee applications to Service officers in Moscow. Since 1990, those applications have been counted as filed on the interview date.

The number of initial questionnaires received at the WPC provides only a rough indication of the potential number of applications, because a questionnaire may include more than one person, and some potential applicants submit duplicate questionnaires. Some questionnaires never result in formal applications for refugee status, because they might exceed the yearly admissions allocated for the former Soviet Union. During fiscal year 1998, the WPC received 3,055 questionnaires and scheduled 44,893 persons for Moscow interviews. About 20 percent of these potential applicants did not appear for their interviews. Applicants from the former Soviet Union who were in other countries at the start of fiscal year 1990 are still allowed to submit applications for refugee status directly to

other INS refugee processing posts. Only 31 Soviet applications were filed outside of Moscow in 1998, including 6 spouses and children who received refugee status in the United States.

Data Overview

Applications (Tables D, 22, 23)

The number of applications for refugee status filed with the INS changed very little from 1997 (122,741) to 1998 (124,777) (Table 22). The leading countries of chargeability of the applicants were Bosnia-Herzegovina with 33 percent of the applications, the former Soviet Union (28), Vietnam (14), and Cuba (7) (Table D and Table 23). Among those countries of chargeability from which at least 1,000 applications were filed in 1998, the largest percentage increases over 1997 were in applications filed by nationals from Sierra Leone (from 17 to 1,041), Ethiopia (210 to 2,103), Sudan (602 to 3,538), Croatia (1,170 to 3,111), and Liberia (1,620 to 4,228); the largest percentage decreases were in applications filed by nationals of Somalia (from 6,510 to 2,638), Iraq (4,573 to 2,982), Iran (2,244 to 1,691), and Vietnam (19,552 to 17,240). Overall, among the five geographic regions of chargeability from which applications for refugee status were filed in 1998, applications filed by nationals from Africa and Eastern Europe increased about 26 and 6

percent, respectively, while those filed by nationals from the Near East, East Asia, and Latin America geographic regions decreased 30, 12, and 9 percent, respectively, over 1997.

Approvals (Tables D, 22, 23, 24)

The total number of refugees approved for admission to the United States was 6 percent lower in 1998 (73,198) than in 1997 (77,600) (Table 24). The leading countries of chargeability were Bosnia-Herzegovina with 25,393 approvals, the former Soviet Union (18,748), Vietnam (12,698), Liberia (3,009), Croatia (2,520), Somalia (2,396), and Iraq (2,184) (Table D and Table 23). These seven countries accounted for 91 percent of all approvals in 1998. The number approved from the former Soviet Union decreased 32 percent from 1997, reflecting a downward trend in applications in the past six years. The numbers of refugees approved from the East Asia and Africa geographic regions increased by 89 and 8 percent, respectively, in 1998. The significant increase in the East Asia geographic region was attributed to a large increase (95 percent) in the number of refugees approved from Vietnam. All Vietnamese refugee processing centers outside Vietnam were closed by the end of 1997. Residents of former refugee camps were asked to return to Vietnam. Their cases are processed through a special program called the Resettlement of Vietnamese Returnees (ROVR) in Vietnam. The ROVR program adjudicated 13,637 cases and approved 11,774 cases in 1998.

Dependents

Refugee figures include spouses and children who are cleared to join principal refugees already in the United States, and they count against the annual ceiling. Because of these family reunification cases, the data continue to show refugees being approved and arriving for some time after active refugee processing has ended for nationals of certain countries. Most of the refugee flow from Eastern Europe in fiscal year 1998, other than from the former Soviet Union and Yugoslavia, was family reunification cases. Overall, 2.3 percent of the applications and 2.8 percent of the approvals were family reunification cases. In comparison with the number of applications filed and refugees approved within each geographic region, the Africa region had the highest percentage of family reunification cases in both categories, 7.0 and 11.1 percent, respectively.

Arrivals (Tables 24, 25)

Refugee arrivals into the United States increased to 76,181 in 1998 from 69,276 in 1997 (Tables 24 and 25).² The

More than 76,000 refugees arrived in the United States during 1998.

increase was largely attributed to the increase in refugee arrivals from Liberia, Sudan, Vietnam, and Bosnia-Herzegovina. The former Yugoslavia (30,906), former Soviet Union (23,349), Vietnam (10,288), and Somalia (2,951) were the leading countries for refugee arrivals in 1998, comprising 89 percent of the total. The time lag between approval of a refugee application and the refugee's arrival in the United States may be several months or more. After approval, refugees must undergo health and security clearances, have sponsorship and placement arranged, and in some cases go through orientation and English language training. This time lag accounts for the discrepancies between approval and arrival figures in any given year.

Understanding the Data

Data Collection

The Immigration and Naturalization Service collects data on refugees at three points during processing: when they apply for refugee status abroad; when they are admitted to the United States; and when they adjust to lawful permanent resident status. The INS overseas offices collect data on applicants for refugee status. Each office completes INS Form G-319, Report of Applicants for Refugee Status under Section 207, which reports refugee casework by the country to which each applicant is chargeable.

Since 1987, the INS's Nonimmigrant Information System has collected data on refugee arrivals. The system compiles refugee arrival data by country of citizenship on a monthly basis from INS Form I-94, Arrival/Departure Record (see Nonimmigrants section). Since it records each entry of a person with nonimmigrant status, a refugee traveling abroad and returning to the United States may be counted more than once during a fiscal year.

Both the Bureau for Refugee Programs (Department of State) and the Office of Refugee Resettlement (Department of Health and Human Services) collect data on refugees admitted to the United States. The Bureau for Refugee Programs collects data through the Intergovernmental Organization for Migration, which is the agency responsible for arranging the transportation of refugees to the United States. The Office of Refugee Resettlement, responsible for the disbursement of funds for refugee benefits, collects detailed data on the characteristics of refugees at the time they are initially admitted to the United States.

² Refugee arrival data are from the Bureau for Refugee Programs, Department of State. See Data Collection section.

The Immigration and Naturalization Service collects data on refugees adjusting to lawful permanent resident status as part of its immigrant data series gathered by the Computer Linked Application Information Management Systems (CLAIMS). The data collected include demographic variables as well as immigration-oriented variables (see Immigrants section). This is the only stage in the refugee process where the INS collects detailed information about the characteristics of refugees.

Limitations of Data

Prior to the 1996 edition, refugee arrival data presented in the *Statistical Yearbook* were derived from the INS's

Nonimmigrant Information System (NIIS). However, since this system records each entry of a person with nonimmigrant status, a refugee traveling abroad and returning to the United States may be counted more than once during a fiscal year. After careful consideration of the reporting requirements and limitations of data collected in the NIIS, it was decided that the *Yearbook* would present refugee arrival statistics from the Bureau for Refugee Programs, Department of State. This source counts the actual number of refugees arriving in the United States in each fiscal year. Therefore, any comparison of refugee arrival data from the 1995 or earlier editions of the *Yearbook* to 1996 or later editions must be made with caution.

Refugee detailed tables are located at the end of the Asylees text section

III. ASYLEES

This section presents information on persons who come to the United States to seek asylum from persecution abroad, including the number and characteristics of persons who filed, were granted asylum, and adjusted to lawful permanent resident status.

An asylee is an alien in the United States who is unable or unwilling to return to his or her country of nationality because of persecution or a well-founded fear of persecution. (See Appendix 3, p. A.3-2.) An asylee must meet the same criteria as a refugee; the only difference is the location of the person upon application—the potential asylee is in the United States or applying for admission at a port of entry, and the potential refugee is outside the United States. The Immigration and Nationality Act, as amended by the Refugee Act of 1980, regulates U.S. asylum policy as well as governing refugee procedures. The Act, for the first time, established a statutory basis for granting asylum in the United States consistent with the 1967 United Nations Protocol on Refugees.

U.S. Asylum Program

Filing of claims

Any alien physically present in the United States or at a port of entry may request asylum in the United States. According to the Refugee Act, current immigration status, whether legal or illegal, is not relevant to an applicant's asylum claim. Aliens may apply for asylum in one of two ways: with an INS asylum officer; or, if apprehended, with an immigration judge as part of a deportation or exclusion hearing. Traditionally, aliens who appear at ports of entry without proper documents and request asylum were referred for exclusion hearings; however, the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 (IIRIRA) (see Appendix 1, p. A.1-23) made major revisions to the procedure, that became effective on April 1, 1997. Under the new law, such aliens are referred to asylum officers for credible fear interviews. These interviews are not formal asylum hearings. The purpose of the interviews is to determine whether aliens might have credible fear of persecution and thus be eligible to apply for asylum before an immigration judge. In credible fear interviews, aliens only need to show that there is a significant possibility that they might qualify for asylum. To be granted asylum, aliens must show convincing evidence of a well-founded fear of persecution. Those who fail to demonstrate that they have a significant possibility for establishing eligibility for asylum are placed in

expedited removal proceedings. However, upon the alien's request, an immigration judge may review the outcome of the interview. The data reported in this section pertain only to asylum cases filed with INS asylum officers. Aliens denied asylum by the INS may renew asylum claims with an immigration judge.

Adjudication of claims

On April 2, 1991, the Asylum Officer Corps (AOC) assumed responsibility within INS for the adjudication of asylum claims that were filed with the INS. Before that date, such claims had been heard by examiners in INS district offices. During fiscal year 1998, asylum officers worked from eight sites in the United States—Arlington, VA, Chicago, Houston, Los Angeles, Miami, New York City, Newark, NJ, and San Francisco. Applicants who did not live near these locations were interviewed by asylum officers who traveled to other INS offices.

In March 1994, the INS published proposed regulations designed to streamline the asylum decision process, discourage the filing of frivolous claims, and integrate the work of asylum officers with the work of the immigration judges in the Executive Office of Immigration Review (EOIR, an independent Justice Department agency) in the case of claims that do not appear to meet the standards for granting asylum. The final asylum reform regulations were published in December 1994, and took effect on January 4, 1995.

Under asylum reform the INS standard is to conduct the asylum interview within 60 days after the claim is filed, and to identify and grant in a timely fashion those cases that have merit. If the INS asylum officer does not find the claim to be grantable at the interview, the applicant is referred immediately for deportation proceedings before EOIR (unless a nonimmigrant status is still valid). The immigration judge may grant the claim or may issue a denial and an order of deportation. Under this system INS asylum officers issue relatively few denials, but an interview followed by a referral to EOIR represents the asylum officer's judgment that the application is not readily grantable. An applicant who fails without good cause to keep a scheduled appointment for an asylum

interview is referred immediately to EOIR for deportation; this is considered to be one type of case closure.

Starting in 1997, the AOC also began conducting credible fear interviews as required by IIRIRA, and interviewing applicants for refugee status at the INS overseas locations. During fiscal year 1998, asylum officers interviewed refugee applicants at six overseas locations—Croatia, Cuba, Germany, Kenya, Russia, and Vietnam.

More than 55,000 asylum applications were filed in the United States during 1998.

Data Overview

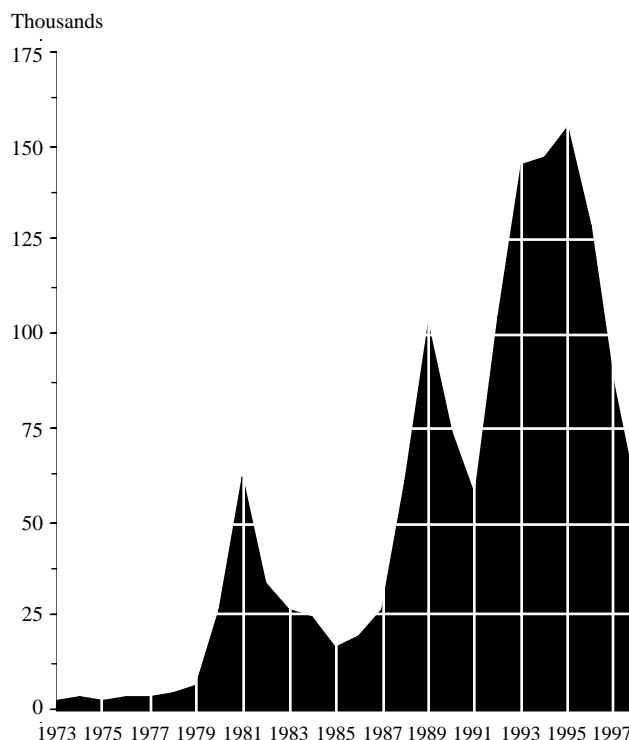
Applications filed (Chart G, Tables 27, 29, 30)

The annual number of asylum applications filed with the INS has fluctuated greatly since the effective date of the Refugee Act of 1980 (see Appendix 1, p. A.1-18), as shown in Chart G. In fiscal year 1998, 55,428 asylum cases were filed or reopened. This represents a 35 percent decrease from the 85,866 cases filed in 1997 (Table 27). The sharp decline in 1998 was due largely to significant decreases in claims filed or reopened by nationals of Mexico, Guatemala, India, Iraq, Haiti, and El Salvador.

In 1998, 35,903 new claims were filed with the INS. Nearly 4,500 new claims were filed by Mexicans, with more than 3,800 by Salvadorans. The People's Republic of China, with 3,075 new claims, ranked third, followed by Haiti (2,720), Guatemala (2,666), and Somalia (2,305) (Table 28). About two thirds of the new claims received (23,624) were filed by male applicants. Excluding the 3,923 claims filed or reopened under the terms of the ABC settlement, more than 51,500 applications were received during 1998, a decrease of nearly 38 percent from fiscal year 1997.

More than 19,500 asylum cases were reopened in 1998, which accounted for 35 percent of the applications received (Table 29). The leading countries of nationality of the reopened cases were Guatemala (3,230), the People's Republic of China (2,675), El Salvador (2,498), and Mexico (2,203). The number of reopened cases has increased significantly since May 1995. This is due to an automatic function which triggers the reopening of cases that were administratively closed when aliens apply for renewal of their employment authorization. Those cases were administratively closed due to a failure to appear for the asylum interview or for an invalid mailing address. This function also automatically reschedules an interview.

Chart G
Asylum Applications Filed with the INS:
Fiscal Years 1973-98



NOTE: See Glossary for fiscal year definitions. Source: Table 27.

Under the new regulation, those who do not appear for the scheduled interview can be placed in removal proceedings immediately. Some of these reopened cases may qualify for ABC treatment.

Trends in asylum applications filed by nationals from Central America (Tables E, 29)

For over a decade, nationals from Central America dominated the annual number of asylum applications filed in the United States. From 1986 to 1992, about half of all asylum applications were filed by Central Americans. In 1993 and 1994, that percentage had fallen somewhat, but it remained at about 40 percent of the total applications filed. Then, the number of applicants from Central America surged to a new height in the next two years, well over half of all asylum applicants. A sharp decline in cases filed by Nicaraguans was offset by a sharp increase from Guatemalans, and Salvadorans, later. Beginning in 1997, the numbers started a sharp decline due largely to a significant decrease in claims filed or reopened under the terms of the American Baptist Churches (ABC) v. Thornburgh settlement (see discussion below) because of the termination of the ABC filing period. As a result, Central Americans accounted for about 20 percent of the new claims and 25 percent of the total in 1998. The trend in claims from Central America is shown in Table E.

Table E
Asylum Applications Filed with the INS by Central Americans: Fiscal Years 1992-98

Area of citizenship	1992	1993	1994	1995	1996	1997	1998
Central America	53,966	54,898	62,310	104,228	83,410	21,599	13,904
Nicaragua	2,075	3,180	4,682	1,908	2,034	1,674	819
El Salvador	6,781	14,616	18,600	75,860	65,588	8,156	6,345
Guatemala	43,915	34,198	34,433	23,202	13,892	9,811	5,896
Honduras	1,127	2,805	4,385	3,163	1,836	1,851	809
Other	68	99	209	95	60	107	35

Source: Table 29; applications received and reopened during year.

In the past few years, the trend in asylum claims filed or reopened by nationals from Central America has been driven in large part by ABC cases. Under the terms of this 1991 class action lawsuit settlement, many nationals of El Salvador and Guatemala were allowed to file or renew their claims for asylum. Nationals of Guatemala had a filing deadline of March 31, 1992, which was the peak year for claims from this country. The 187,000 Salvadorans who had registered for Temporary Protected Status (TPS) in 1991 became eligible to file for asylum at the expiration of their TPS period in 1992. They were later granted additional time under deferred enforced departure periods which extended until December 1994, and they ultimately had until January 31, 1996 to apply for asylum under the ABC agreement. The number of ABC claims filed by Salvadorans surged during fiscal year 1996 before the filing deadline. These claims are heard under the pre-reform regulations. Applications filed after the ABC filing deadline were processed as reform filings, except those ABC cases that were closed by the EOIR or federal courts and were not previously filed with the INS. Under the settlement, once the latter cases are identified by the INS, they are treated as ABC filings instead of reform filings. During 1998, 3,923 cases were identified as either filed or reopened as ABC cases.

On November 19, 1997, the Nicaraguan Adjustment and Central American Relief Act (NACARA) was signed into law. Section 203 of the NACARA permits certain Guatemalans, Salvadorans and nationals of former Soviet bloc countries to apply for suspension of deportation or special rule cancellation of removal under the more generous standards in effect before the 1996 immigration law. Individuals granted relief under NACARA are permitted to remain in the United States as lawful permanent resident aliens. All ABC class members, who are eligible for ABC benefits and have asylum applications

pending with the INS, are also eligible to apply for the NACARA benefits with the INS Asylum Program.

Cases completed (Tables 27, 28, 29, 30)

During fiscal year 1998, the Asylum Officer Corps completed work on 85,737 claims and adjudicated about 50 percent (42,738) of them (Table 27). The number of cases granted in 1998 was 9,949, representing 23.3 percent of the cases adjudicated compared to the 19.1 percent approval rate in fiscal year 1997. These cases encompassed 12,951 persons given asylum (Tables 28 and 29). The leading countries of nationality were Somalia with 1,208 granted cases, the former Soviet Union (864), the People's Republic of China (508), Iran (496), Ethiopia (489), and Liberia (405) (Table 29).

Coercive population-control procedures

Section 601 of the IIRIRA stipulates that a person qualifies as a refugee or asylee persecuted for political opinion if forced to undergo, has a well founded fear of being compelled to undergo, or resists a coercive population-control procedure. It sets a combined annual ceiling of 1,000 persons who may be granted refugee or asylee status under this provision. Both the INS and the Executive Office for Immigration Review (EOIR) grant conditional asylee status to qualified applicants each year under this provision—status that is not subject to the 1,000 annual ceiling. At the beginning of a new fiscal year, the INS Asylum Office issues 1,000 final grants—counted toward the annual ceiling of the previous year—to those who have received a conditional asylee status from either agency in previous fiscal years. The selection criterion for final grants is the date of the conditional grants. Those who received their conditional grants earlier would receive their final grants first. At the beginning of fiscal year 1999, the INS issued the 1,000 fiscal year 1998 final grants for asylum status to 185 individuals who received their

conditional grants from INS, 114 whose conditional grants were made by the Board of Immigration Appeals (BIA), and 701 whose conditional grants were made by immigration judges in the previous fiscal year. China was the country of origin of all grants. No one was granted refugee status in fiscal year 1998 based on coercive population-control measures.

Cases pending (Tables 29, 30)

The number of asylum cases pending for adjudication decreased about 10 percent, from 399,826 in 1997 to 360,247 in 1998. Cases filed by nationals of El Salvador (180,991), Guatemala (105,207), Nicaragua (15,134), and Haiti (14,876) accounted for more than 87 percent of the pending cases. The ABC cases, which also can be handled under the NACARA provisions, comprised more than 90 percent of Salvadoran and Guatemalan, and 70 percent of all pending cases. A large number of Nicaraguan and Haitian pending cases also will be eligible for the NACARA benefits.

Credible fear interviews

During fiscal year 1998, about 3,400 aliens appeared at ports of entry without proper documents and requested asylum. They were subsequently referred to asylum officers for credible fear interviews. Nationals of Sri Lanka submitted the most applications (608), followed by the People's Republic of China (582) and Haiti (384). These three countries accounted for almost 46 percent of all application in 1998. It should be noted that some applicants might change their opinions and decide to withdraw their asylum applications before a credible fear interview takes place. The Asylum Officer Corps conducted 2,726 credible fear interviews in 1998. The total approval rate for the interviewed cases was about 95.9 percent.

Understanding the Data

Tables 29 and 30 contain a column showing the number of applications that were reopened during the year. Most of these are cases that had been closed earlier without a decision. The number of asylum applications filed is defined here as the sum of new applications received and applications reopened during the year. The tabulations also contain columns showing the number of cases referred to immigration judges, with and without an interview. A referral due to failure to keep an appointment for an interview without good cause is considered comparable, for statistical purposes, to a closed case. The approval rate is calculated as the number of cases approved divided by the number of cases adjudicated, which is defined as the cases approved, denied, and referred to EOIR following an interview.

Data Collection

Prior to April 1, 1991, data on asylum applicants reflect cases filed with INS district directors and, subsequently, cases filed with INS asylum officers on Form I-589 (Request for Asylum in the United States). A centralized, automated data system (Refugee, Asylum, and Parole System—RAPS) has been developed to support the processing of the existing caseload and new asylum applications. The system is designed to support case tracking, schedule and control interviews, and generate management and statistical reports. The system is capable of reporting asylum casework by nationality and other characteristics of asylum applicants. Data can be reported by case or by the number of persons covered, since a case may include more than one person. Data on asylum applicants have been collected by the INS for selected nationalities since July 1980, and for all nationalities since June 1983.

As with refugees, the Immigration and Naturalization Service collects data on asylees adjusting to lawful permanent resident status in the Computer Linked Application Information Management Systems (CLAIMS) (see Immigrants section). Adjustment to immigrant status has been the only point at which detailed characteristics of asylees were collected in past years. The RAPS system is now able to provide data on selected characteristics of asylees at an earlier time.

Limitations of Data

The figures shown here for fiscal year 1998 differ slightly from preliminary statistics released by the Asylum Division in November 1998. The data presented here were tabulated from the RAPS system three months after the close of the fiscal year and incorporate late additions and corrections to the database. Cases entered into the RAPS system during fiscal year 1998 with filing dates in previous fiscal years were treated as new cases in these tabulations. Other corrections resulted in a decrease from 399,826 to 397,809 in the pending caseload as reported in the 1997 *Statistical Yearbook* and at the beginning of fiscal year 1998 in this edition. Another change between 1997 and 1998 concerns the identification of applicants from the former Soviet Union whose records are now being assigned to one of the succeeding republics. Therefore, the pending number of cases from "Unknown republic" decreased, and the numbers for Armenia, Russia, Ukraine, and other republics increased.

It is possible for an asylum case to have more than one action during a year, particularly if the claimant fails to pursue a claim and later reopens it. Therefore, some claims may be double-counted as received and reopened,

or closed and denied or granted. For this reason, and due to recent growth in the number of reopened claims, the pending caseload at the end of the year can no longer be calculated by taking the pending caseload at the beginning of the year, adding claims filed, and subtracting claims completed.

Data on applicants for asylum collected by the Immigration and Naturalization Service historically have covered only cases filed with the INS. Information has not been available on cases filed by apprehended aliens or cases denied or referred by the INS and renewed with immigration judges in the Executive Office for Immigration Review. The two agencies are working to integrate their data systems to provide these data in the future. Principal

applicants whose asylum applications are successful can apply for their spouses and minor children, whether they are in the United States or abroad, and these relatives also receive status as asylees. The RAPS system collects information on the spouses and children of asylum applicants only if they are included on the principal's application. Information regarding relatives whose principals petition for them after receiving asylum is collected by the CLAIMS and is not included in any calculation in this publication. The data collected by the INS at the time asylees adjust to permanent resident status include all aliens who adjust regardless of whether they were granted asylum by the INS, immigration judges, or the BIA. Adjustment data also include spouses and children of persons granted asylum.